

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

ESTATE OF SEAN PATRICK
O'BRIEN, ROBIN LARSON, and
K.O., a minor child, by and through
Personal Representative Robin Larson,

Plaintiffs,

vs.

CITY OF LIVINGSTON, a political
subdivision of the State of Montana,
KEVIN ENGLE, ANDREW
EMANUEL, DALE JOHNSON, and
JOHN DOES 1-10,

Defendants.

CV 18-106-BLG-SPW-TJC

ORDER

On October 31, 2019, Plaintiffs filed a Motion in Limine and Alternative Motion to Bifurcate Liability and Damages Phases of Trial. (Doc. 47.) Subsequently, Defendants Kevin Engle and Andrew Emanuel filed an unopposed motion to stay briefing and any decision on Plaintiffs' motion. (Doc. 49.) The parties agree that Plaintiffs motion should be decided by Judge Watters after the dispositive motion have been decided. The Court concurs. The Court's Scheduling Order provided that Judge Watters will schedule a deadline for motions in limine if needed after dispositive motions have been decided. (Doc. 20 at ¶ 2.) As such, the Court finds Plaintiffs motion is premature.

Accordingly, Plaintiffs' Motion in Limine and Alternative Motion to

Bifurcate Liability and Damages Phases of Trial (Doc. 47) is **DENIED without prejudice** to refiling if necessary after the dispositive motions have been decided.

DATED this 13th day of November, 2019.



TIMOTHY J. CAVAN
United States Magistrate Judge